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6 **IN THE UNITED STATES DISTRICT COURT**  
7 **FOR THE DISTRICT OF ARIZONA**  
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9 Center for Biological Diversity, et al.,

10 Plaintiffs,

11 v.

12 Randy Moore, et al.,

13 Defendants.  
14

No. CV-23-00354-TUC-RM

**ORDER**

15 Pending before the Court is the Southern Arizona Cattlemen's Association's  
16 Motion to Intervene (Doc. 10) and Motion for Ruling (Doc. 13). In the Motion to  
17 Intervene, the Southern Arizona Cattlemen's Association argues that it is entitled to  
18 intervene as of right under Rule 24(a)(2) of the Federal Rules of Civil Procedure because  
19 its members hold Forest Service permits authorizing livestock grazing on allotments in  
20 the Coronado National Forest and would be prevented from grazing livestock on the  
21 allotments if Plaintiffs succeed in this action—which alleges adverse impacts from  
22 livestock grazing within the Coronado National Forest on two wildlife species listed as  
23 threatened under the Endangered Species Act. (Doc. 10; *see also* Doc. 1.) No response  
24 to the Motion to Intervene was filed, and the deadline for filing a response has expired.  
25 In its Motion for Ruling, the Southern Arizona Cattlemen's Association requests that the  
26 Court grant the Motion to Intervene given the lack of a response from any party. (Doc.  
27 13.)

28 Federal Rule of Civil Procedure 24(a)(2) provides that the court must permit


1 anyone to intervene who “claims an interest relating to the property or transaction that is  
2 the subject of the action, and is so situated that disposing of the action may as a practical  
3 matter impair or impede the movant’s ability to protect its interest, unless existing parties  
4 adequately represent that interest.” Local Rule of Civil Procedure 7.2(i) provides that, if  
5 a party fails to file a required answering memoranda, the court may deem the failure as a  
6 consent to the granting of a motion and may dispose of the motion summarily.

7 Pursuant to Federal Rule of Civil Procedure 24(a)(2) and LRCiv 7.2(i),

8 **IT IS ORDERED** that the Motion to Intervene (Doc. 10) and Motion for Ruling  
9 (Doc. 13) are **granted**. The Southern Arizona Cattlemen’s Association is permitted to  
10 intervene in this matter and shall file its Answer within **five (5) days** of the date this  
11 Order is filed. The summary judgment deadlines applicable to Federal Defendants in the  
12 Court’s Scheduling Order (Doc. 9) shall also apply to Intervenor Southern Arizona  
13 Cattlemen’s Association.

14 Dated this 17th day of November, 2023.

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Honorable Rosemary Márquez  
United States District Judge